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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/034,235	12/28/2001	Allan Dennis Dufour	13587.33

CONFIRMATION NO. 9104

## FORMALITIES LETTER



\*OC000000007383337\*

DANA L. TANGREN  
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1000 EAGLE GATE TOWER  
60 EAST SOUTH TEMPLE  
SALT LAKE CITY, UT 84111

Date Mailed: 01/29/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice MUST be returned with the reply.*

*Jim Harte* *Germain*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/02/2002 MBERHE 00000081 10034235

01 FC:205

65.00 OP

X A Combined Declaration and Power of Attorney executed by the inventors Allan  
Dennis Dufour and Ronald Arthur Frank

- ☒ An Assignment conveying the invention to Akara Corporation, including a Form PTO-1595 recordation cover sheet.
- ☐ A Declaration Claiming Small Entity Status Pursuant to 37 C.F.R. § 1.9 and § 1.27.
- ☒ The present application claims entitlement to Small Entity Status under 37 CFR §§ 1.9 and 1.27
- ☒ A copy of the Notice to File Missing Parts of Application.
- ☒ A Certificate of Express Mail under 37 C.F.R. § 1.10.
- ☐ To render the Response timely filed, enclosed are the following:
- ☐ Petition for a -Month Extension of Time; and
- ☐ Check No.  in the amount of \$  to cover the fee for the extension of time.

The filing fee has been calculated as shown below.

			SMALL ENTITY		LARGE ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$370		\$740
TOT. CLAIMS	-20=		X 9=		X 18=	
IND. CLAIMS	-3=		X 42		X 84=	
MULTIPLE DEPENDENT CLAIM			+140=		+280=	
			<b>TOTAL</b>		<b>TOTAL</b>	

- ☒ Form PTO-2038 submitting Credit Card Payment in the amount of \$105.00 is enclosed to cover:
- ☐ The \$  government filing fee.
- ☒ The \$40.00 recordation fee of the enclosed assignment.
- ☒ The \$65.00 surcharge fee pursuant to 37 C.F.R. § 1.16(e).

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or to credit any overpayment to Deposit Account No. 23-3178.

X Any additional filing fees required under 37 C.F.R. § 1.16.

X Any patent application processing fees under 37 C.F.R. § 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3178.

X Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

X Any patent application processing fees under 37 C.F.R. § 1.17.

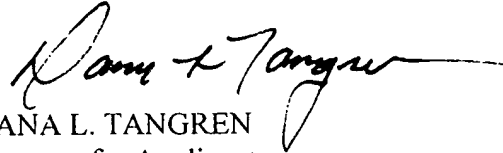
     The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

X A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with this case to the attention of the undersigned.

DATED this 27<sup>th</sup> day of March 2002.

Respectfully submitted,



DANA L. TANGREN  
Attorney for Applicant  
Registration No. 37,246



**022913**

PATENT TRADEMARK OFFICE

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Docket: 13587.33

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Allan Dennis Dufour et al.

Art Unit  
2661

Confirmation No.: 9104

Filed: December 28, 2001

For: METHOD AND APPARATUS FOR IN-SERVICE  
DYNAMIC ALLOCATION OF BANDWIDTH IN A  
TDM NETWORK

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

I hereby certify that the following documents are being deposited with the United States Postal Service as Express mail, postage prepaid, in an envelope addressed to: Box: Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231, on this 27<sup>th</sup> day of March 2002:

- Response to Notice to File Missing Parts of Application (3 pgs.) (in duplicate)
- Combined Declaration and Power of Attorney (4 pgs.)
- Assignment with Form PTO-1595 (4 pgs.)
- Copy of Notice to File Missing Parts of Application (1 page)
- Form PTO-2038 submitting Credit Card Payment in the amount of \$105.00
- Postcard

Respectfully submitted,

ANA L. TANGREN

**DANA L. TANGREN**  
Attorney for Applicant  
Registration No. 37,246

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